

Exhibit 3

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

AUTHENTICOM, INC.,

Plaintiff,

v.

CDK GLOBAL, LLC and THE REYNOLDS
AND REYNOLDS COMPANY,

Defendants.

Case No. 17-cv-318

Hon. James D. Peterson

DECLARATION OF DAVID A. PENNEY

I, David Penney, declare as follows:

1. My name is David A. Penney. I am the Chief Financial Officer of Data Software Services, LLC (a/k/a “eLead”). Our product, eLeadOne, is a CRM product that has been RCI certified since 2014.

2. I have become aware that the plaintiff in this lawsuit has referred in its complaint and proposed findings of fact to a settlement communication between Reynolds & Reynolds and eLead. More specifically, my company was the recipient of the letter described in Paragraph 172 of Authenticom’s complaint.

3. I wish to make clear that eLead did not consent to the use of that correspondence in this lawsuit.

4. eLead is not involved in this lawsuit and wishes to remain neutral.

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on June 16, 2017 at 3:20 PM. EST



David A. Penney